

Osman Ozsusamlar
#53271-054
U.S.P. ATWATER
P.O. Box 019001
ATWATER, CA 95301
[Online Express, Inc.]

RECEIVED

MAY 29, 2013

AT

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Case no : 2:13-cv-01888-SRC-CLW

⇔53271-054⇔

Clerk Of Court
U. S. District Court
50 Walnut St., Room 4015
District Court of N. J.
Newark, NJ 07102
United States

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ONLINE EXPRESS, INC,
[Osman Nuri Ozsusamlar],
Plaintiffs,

Case Number:
2:13-cv-01888-SCR-CLW

vs.

- 1- CARPEZZI LIEBERT GROUP [CLG],
 - 2- TRI-STATE GENERAL INS. AGENCY,
 - 3- CAROLINA CASUALTY INSURANCE COMPANY,
 - 4- LLOYD'S OF LONDON [LLOYD'S AMERICA, INC.],
 - 5- IMPERIAL CREDIT CORPORATION,
 - 6- N.J. DEPARTMENT OF BANKING AND INSURANCE [DOBI],
 - 7- FEDERAL DEPOSIT INSURANCE CORPORATION [FDIC],
- Defendant(s).

MOTION FOR LETTER CLARIFYING
THE STATUS OF HIS REAL ESTATE ASSETS

I, OSMAN NURI OZSUSAMLAR owner/ president company name of ONLINE EXPRESS, INC. declare that I am the Plaintiff in the above- entitled proceeding; that, in support of my request to "COMPLAINT FOR COMMERCIAL INSURANCE FRAUD VIOLATION UNDER TITLE 18 U.S.C. §1033; and §1034" and this Honorable Court ordered "file a letter clarifying the status of his real estate assets and will reserve judgment on whether to grant Ozsusamlar's IFP application until it is satisfied that Ozsusamlar has accurately characterized his financial position

to the Court."

I, Osman Nuri Ozsusamlar, owner/ president of company name: Online Express, Inc. pursuant to 28 U.S.C. §1746, and declare under the penalty of perjury:

a.) I depose and state all the following all true and correct of my own free will,

b.) I am over the age of 18 years old,

c.) I am not on any mind altering drugs or medication,

Statement Of Facts:

1.) On December 2001, I bought a real estate which consisted of 3 family bedroom house; at 349 12th Ave, Paterson, New Jersey 07514.

2.) On or about June 2002 up to September 2005 I refinanced the house three or four times and a home equity line credit was taken on this house.

3.) On or about September 2005, the last refinancial appraiser appraised the house to a valuable price of \$500.000 dollars and the mortgage company approved a \$400.000 dollars mortgage. I took the deal.

4.) On October 6, 2005, I was arrested in Paterson, New Jersey and my criminal case started in Southern District of New York case number 05 cr. 1077 (PKL) United States v. Ozsusamlar.

5.) On April 10, 2006, after one week of jury trial I was convicted.

6.) On May 30, 2006, the presentence investigator Mrs. Diana M. Plummer visited me at Metropolitan Correctional Center "MCC" New York jailhouse and at that time however I was recommended to produce certain financial information to the

Probation Department. The Probation Department decided that I was able to pay the fine and the court agreed to the amount of \$17.800, which was about a \$300 surcharge and \$17.500 fine. The Probation Officer made a Presentence Investigation Report on page 12 "Financial Condition: Ability to Pay" section ASSETS ---> Residence (349 12 th Ave, Paterson, N.J.) total \$100.000 money [this figure represents the dollar amount that the defendant would receive IF HE SELL HIS HOME \$500.000 and pays off the outstanding mortgage balance \$400.000 = \$100.000]. --See attach [EXHIBIT # 1] copy of the Presentence Investigation Report page 12.

7.) On June 25, 2007, Metropolitan Detention Center "MDC"- Brooklyn, New York Warden Cameron Lindsay sanctioned me to 'Special Administrative Measures' "SAM" restriction. I was unable to contact anyone including Turkish Embassy, my family nor any friends. Just the defense attorney, Franklin Rothman, was I able to see and talk because he was working with the prosecutor and the FBI.

8.) On September 18, 2007, I was sentenced to 188 months.

9.) On November 29, 2007, I entered into ADX Florence, Colorado super maximum prison.

10.) On or about September 2008, I learned about the house being foreclosed because I was unable to pay the mortgage payments due to my incarceration.

11.) On September 18, 2007, during sentencing time I had already lost my home. It was foreclosed to by the mortgage company. I did not know any of this matter at that time due to the S.A.M.'s restriction to which I was placed upon and I did

not object to this matter. Until today date May 23, 2013, I am trying to correct presentence investigator's early investigation matter and where sentencing judge ordered fine of \$17,500.

12.) Also I am declaring that I came to prison under/ and while my company, Online Express, Inc. was still actived. I owned two trucks and two trailers. However there were maybe 6 or 8 trucks with trailers under the company's title; which would also show up legally, which means my company had control of everything only under my authorization. Even today I do not have any information about those trucks and trailers including the other contractors, nor do I make any contact with anyone about them. Moreover not a single person since my incarceration has ever made an attempt to reach me and asked about the status of any of these titles.

13.) Every since my incarceration, I have not received any income from those contract trucks and trailers and I do not have any knowledge as to their whereabouts. I sent out a notice to the Department of Transportation Secretary and New Jersey Department of Transportation three years ago informing them about those trucks/trailers and about my situation, and that I am not responsible for any damages or illegal activities committed. National Transportation Safety Department wrote me asking for more information about the trucks/trailers' title and vin numbers but I did not have that information. I responded back that they should check with the New Jersey Department of Motor Vehicle; yet I still have not received any response.

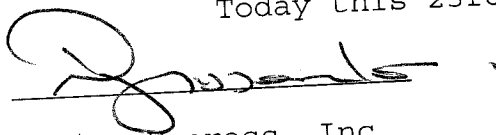
All of the above statements are true and correct to

the best of my knowledge. I do not have any real estate nor vehicles (trucks/trailers). I do not own any property at this time nor do I have control of my company.

THE FOREGOING STATEMENTS IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Respectfully Submitted

Today this 23rd day of May, 2013.



Online Express, Inc

owner/president

Osman Nuri Ozsusamlar, Pro-se

Reg. no: 53271-054

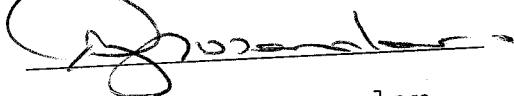
U.S.P.- Atwater

P.O. Box 019001

Atwater, CA 95301-0910

NOTARY CERTIFICATION -----

I certify that all the above is all true and correct under penalty of perjury, dated May 23, 2013, Notary, 28 U.S.C. §1746, in LIEU of NOTARY, State of California, County of Merced, and City of Atwater.



Osman Nuri Ozsusamlar

cc: File.

CERTIFICATE OF SERVICE

I, Osman Nuri Ozsusamlar hereby certify that I have served a true and correct copy of the following:

"MOTION FOR LETTER CLARIFYING THE STATUS OF HIS REAL ESTATE ASSETS"

Which is deemed filed at the time it was delivered to prison authorities for forwarding Houston v. Lack, 101 L.Ed. 2d. 245 (1988), upon the defendant(s) and or his attorney(s) of record, by placing same in a sealed , postage prepaid envelope addressed to: Clerk of the Court

U.S.D.C. - District Court of New Jersey

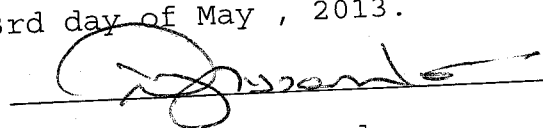
50 Walnut Street , Room 4015

Newark, New Jersey 07102

and deposited same in the United States Mail at VIA First Class mail at U.S.P.- Atwater Mailroom Dept.

I declare, under penalty of perjury [Title 28 U.S.C.§1746], that the foregoing is true and correct.

Dated this 23rd day of May , 2013.


Osman Nuri Ozsusamlar

Reg. no: 53271-054

U.S.P.- Atwater

P.O. Box 019001

Atwater, CA 95301

cc: File

OZSUSAMLAR, OSMAN

EXH 17866/DMP

1

12

Financial Condition: Ability to Pay

71. As instructed, the defendant prepared a financial statement wherein he stated the following:

ASSETS

Residence (349 12 th Ave, Paterson, N.J.) ⁴	\$ 100,000
Checking Account (Bank of America)	\$ 500
Trucking Company (Online Express Inc.) ⁵	\$ 0
TOTAL ASSETS	\$ 100,500

LIABILITIES

American Express credit card ⁶	\$ 25,000
TOTAL LIABILITIES	\$ 25,000

INCOME

Rental Income	\$ 2,000
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MONTHLY EXPENSE

Mortgage	\$ 3,500
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72. According to Ozsusamlar, in February 2006, a small claims suit was filed by a truck driver who delivers goods for him. This suit is pending.

73. A credit report obtained from CBI\Equifax revealed that the defendant has an open Bank of America credit card with an outstanding balance of \$1,071. Additionally, Ozsusamlar owes GMAC \$7,310 for an automobile lease. Finally, on or about November 2002, an account was placed in collections in the amount of \$ 142.

⁴ This figure represents the dollar amount that the defendant would receive if he sells his home (\$500,000) and pays off the outstanding mortgage balance (\$400,000).

⁵ The defendant reported that he owns and operates an online trucking company. He, however, stated that this company has no assets.

⁶ The defendant reported this figure represents fraudulent charges on his credit card. As such, he is disputing the charges.

AT 11:00 AM
CLERK

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50 Walnut Street, Room 4015

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mailed: May 23, 2013